

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BUD LEE and CINDY LUNDMAN, as  
next friend and as natural parents of  
PATRICK LEE, deceased,  
Plaintiffs,

v.

METROPOLITAN GOVERNMENT  
OF NASHVILLE/DAVIDSON COUNTY,  
TENNESSEE, ET AL.  
Defendants.

No. 3:06-0108  
Judge Trauger

ORDER

Presently pending before the court is a Motion for Partial Judgment on the Pleadings (Docket Entry No. 79) filed by the defendants Jonathan Mays, Justin Pinkelton, John Wright, Ryan Scott and Wayne Fisher. The plaintiffs have submitted a Response (Docket Entry No. 84) to the defendants' Motion.

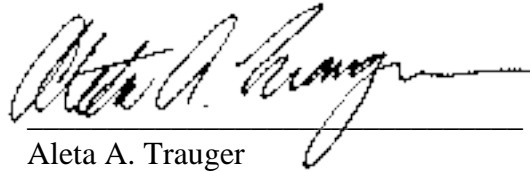
The court has considered these pleadings and, for the reasons stated in the Memorandum contemporaneously entered, finds some merit in the defendants' Motion. Accordingly, the defendants' Motion for Partial Judgment on the Pleadings is hereby GRANTED in part and DENIED in part.

More specifically, the defendants' Motion is GRANTED as to Counts I - V, Count VII and Count VI, to the extent that it alleges claims against the defendants for abuse of process and negligence arising under 42 U.S.C. § 1983.

The defendants' Motion, however, is DENIED as to Counts IX - XI of the amended

complaint.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Aleta A. Trauger", written over a horizontal line.

Aleta A. Trauger  
United States District Judge